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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA

19 SAN JOSE DIVISION

20 UNITED STATES OF AMERICA,) Case No. CR 18-258 EJD
21 Plaintiff,)
22 v.) STIPULATION TO EXCLUDE TIME FROM JULY
23 RAMESH "SUNNY" BALWANI,) 28, 2020, TO AUGUST 31, 2020 AND
24 Defendant.) [PROPOSED] ORDER
25 _____)

26 **STIPULATION**

27 WHEREAS, on June 28, 2019, the Court ordered that jury selection would be held on July 28,
28 2020; found that the ends of justice served in granting the continuance outweighed the best interests of
the public and the Defendant Balwani in a speedy trial; and excluded time under the Speedy Trial Act
from June 28, 2019 through and including July 28, 2020. Dkt. 83.

29 WHEREAS, on March 20, 2020, the Court issued an Order re Severance of Trials, finding "good
30 cause to sever the trials of [co-defendant Elizabeth] Holmes and Mr. Balwani"; ordering that "Ms.
31 Holmes's trial will proceed as scheduled"; and ordering that "Mr. Balwani's trial will begin after Ms.
32 Holmes's trial".

33 STIPULATION & [PROPOSED] ORDER
34 CASE NO. 18-258 EJD

1 Holmes's trial has concluded." Dkt. 362.

2 WHEREAS, in its March 20, 2020 severance order, the Court continued Ms. Holmes's matter to
3 April 1, 2020, for status conference and Mr. Balwani's matter to June 16, 2020, for status conference.
4 Dkt. 362.

5 WHEREAS, on April 1, 2020, the Court set a further status conference as to Ms. Holmes for
6 April 15, 2020. Dkt. 371.

7 WHEREAS, on April 15, 2020, the Court ordered that jury selection for the Holmes trial be reset
8 to October 27, 2020; found that the ends of justice served in granting the continuance outweighed the
9 best interests of the public and the defendant in a speedy trial; and excluded time through and including
10 October 27, 2020. Dkt. 374.

11 WHEREAS, on June 9, 2020, a Clerk's Notice Resetting Hearing Time was filed moving the
12 June 16, 2020 status conference for Mr. Balwani to August 31, 2020. Dkt. 416.

13 WHEREAS, on July 20, 2020, during a status conference for Ms. Holmes and a hearing on
14 motions joined by Mr. Balwani, counsel for Mr. Balwani agreed that time was appropriately excluded
15 under the Speedy Trial Act through August 31, 2020, the date of the next status conference for Mr.
16 Balwani.

17 THEREFORE, the parties stipulate and agree that the Court should enter the order below
18 memorializing its exclusion of time under the Speedy Trial Act through August 31, 2020.

19 IT IS SO STIPULATED.

20 DATED: July 22, 2020

ADAM A. REEVES
Attorney for the United States,
Acting Under Authority Conferred
By 28 U.S.C. § 515

23 _____/s/_____
24 ROBERT S. LEACH
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VANESSA BAEHR-JONES
25 Assistant United States Attorneys
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1 DATED: July 22, 2020

ORRICK, HERRINGTON & SUTCLIFFE LLP

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3 _____/s/_____

4 JEFFREY B. COOPERSMITH, ESQ.
Attorneys for Ramesh "Sunny" Balwani

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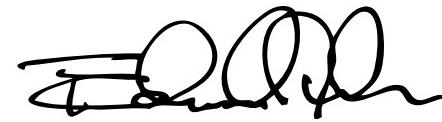
6 **[PROPOSED] ORDER**

7 For the reasons set forth on the record on July 20, 2020, the Court finds that the ends of justice
8 served by excluding the time from July 28, 2020, through August 31, 2020, from computation under the
9 Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore,
10 and with the consent of the parties, IT IS HEREBY ORDERED that the time from July 28, 2020,
11 through August 31, 2020, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C.
12 § 3161(h)(7)(A), (B)(iv).

13 IT IS SO ORDERED.

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15 DATED: July 23, 2020



16 THE HONORABLE EDWARD J. DAVILA
United States District Judge

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